

## A Message From Executive Officer Karen McGagin

As we approach the end of the year, I'd like to reflect upon the many accomplishments made possible by the hard working staff both at the Victim Compensation and Government Claims Board and in the Joint Power Unit Counties. We made some significant strides in 2004 for which we can all be proud. To highlight some of our significant accomplishments, by the end of Fiscal Year (FY) 2003-04, about 50,000 victims or family members submitted applications to the Victim Compensation Program and approximately \$67 million was awarded. The Board received a record \$64.8 million annual federal grant in May, and medical and dental reimbursement rates were raised, effective July 1, 2004, to provide victims better access to services.



Karen McGagin

The federal government extended our September 11 grant, allowing the Board to continue supporting survivors and families through December 2004. The first year of our partnership with the Department of Corrections and the Franchise Tax Board's Court-Ordered Debt Collection Program resulted in an additional \$2 million to the Restitution Fund. Board staff began developing a new Claims Management and Information System (CMiS). The Government Claims Program received 9,452 claims in FY 03-04 and became self-sufficient with the initiation of new fees and surcharges.

In 2005, many new, exciting things will take place at the Board. We will be publishing a new policy manual to ensure consistency and accuracy in providing victim services. CMiS is scheduled to come on line to streamline and speed up the processing of victims' claims. We have already begun piloting a new centralized data entry unit known as the Application Review Team (ART). I look forward to the New Year – making stronger connections with our partners and working together to serve victims.

Sincerely,



## Franchise Tax Board Collects More than \$2 Million in Restitution

The Board has successfully completed its first year of collaboration with the California Department of Corrections (CDC) and the Franchise Tax Board (FTB) Court-Ordered Debt Collection Program, collecting more than \$2 million in outstanding restitution fine debt from discharged parolees.

The program involves FTB sending monthly demand-for-payment requests to delinquent debtors identified by CDC and the Board. The demand letter gives the debtor 10 days to respond by paying the debt in full or establishing a payment plan. Otherwise, FTB seeks assets owned by the debtor to levy.

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## **The Justice For All Act Helps Victims and Expands DNA Testing**

On October 30, 2004, President George W. Bush signed into law H.R. 5107, known as the *Justice for All Act of 2004*. The new law combines several pieces of federal legislation written to enhance victims' rights in federal prosecutions and improve the collection and use of DNA evidence. The *Justice for All Act of 2004* includes the *Scott Campbell, Stephanie Roper, Wendy Preston, Louarna Gillis, and Nila Lynn Crime Victims' Rights Act*; the *Debbie Smith Act of 2004*; the *DNA Sexual Assault Justice Act of 2004*; and the *Innocence Protection Act of 2004*. The *Justice for All Act* protects crime victims' rights; eliminates the backlog of DNA samples from crime scenes and offenders; improves the DNA testing capacity of crime laboratories; increases research and development of DNA testing; develops training programs on DNA evidence; provides post-conviction testing of DNA evidence to exonerate the innocent; and institutes a grant program to improve the performance of counsel for indigent clients in state capital cases.

The first part of the *Justice for All Act*, the *Scott Campbell, Stephanie Roper, Wendy Preston, Louarna Gillis, and Nila Lynn Crime Victims' Rights Act*, includes long-awaited amendments to the federal code that will grant crime victims in federal cases new rights, including:

- (1) The right to be protected from the accused, to be heard at any public proceeding involving release, plea, or sentencing, and to be treated with fairness and respect;
- (2) The right to timely notice of any public proceeding involving the crime or any release or escape of the accused and to proceedings free from unreasonable delay;
- (3) The right to confer with the government attorney; and
- (4) The right to full and timely restitution.

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The act is named in honor of five murder victims whose families were, as many families have been, re-victimized by the criminal justice system. As a result they have been active in the struggle for victim rights during the last two decades.

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## **Final Meeting of the California September 11 Support Group Held in December**

On Saturday, December 11, the California September 11 Support Group held its final meeting at the Ronald Reagan Presidential Library in Simi Valley. Approximately 50 people attended the meeting. Karen McGagin, Executive Officer of the Victim Compensation Government Claims Board, presented letters of commendation from Governor Arnold Schwarzenegger to the therapists from the University of California, San Francisco (UCSF) Trauma Recovery Center and the chaplains who have been working with the support group. The federal grant which funds the support group meetings will expire on December 31, 2004.

Mr. Azim Khamisa, Executive Director of the Tariq Khamisa Foundation, was the guest speaker at lunch. The father of a 20 year old son murdered by gang members, Mr. Khamisa started a foundation in his son's name to promote nonviolence among youth. The grandfather of the 14 year old boy who murdered Mr. Khamisa's son now works for the foundation. The group was very touched by this incredible story of forgiveness and restorative justice.

The therapists from the UCSF Trauma Recovery Center presented information on starting and running support group meetings.

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## For Northern California Victims, It's Team One

The last issue of the Victim Compensation Connection spotlighted the Victim Witness Assistance Center in the Mendocino County District Attorney's Office, and this month we turn the spotlight on Team One at the Board's Office in Sacramento — the team which processes the applications filed by victims in Mendocino County and five other northern California counties.

Team One partners with Mendocino, Sonoma, Marin, Contra Costa, Alameda, and Humboldt counties to help serve victims of crime.

Sandra Martinez, Victim Compensation Specialist, shared that the team's motto is, "'Team One for a Reason.' We process claims accurately and in a timely manner. We're a very fun team but we also work very hard. Team members try to look at a claim like there's actually a person sitting before them, because there is. We're very sensitive and positive."

Like all teams at the Board, Team One determines a claimant's eligibility and addresses his or her crime-related, out-of-pocket losses for medical treatment, lost wages, mental health treatment and other such expenses. Every day the staff interacts with crime victims, service providers, and local law enforcement officers. Two bilingual team members help Spanish-speaking claimants.



Surosh Soufekar and Linda Hanley of Team One

This year has been challenging for the team. For the previous five years Team One worked with eight central California counties. Last March the Board teams were reorganized and Team One became responsible for six northern California counties. Over the course of the summer and the fall, they have been developing and enhancing relationships with the Board's partners in these new counties.

The bulk of the team's claims come from the heavily populated areas of Alameda and Contra Costa counties. The team has been working closely with county victim advocates, county verification staff, and service providers to provide top-notch service to Bay Area crime victims. According to team Supervisor, Annette Frasinetti, "The team has done a great job of adjusting to all the changes and to the increased volume of claims from the metropolitan counties. The team members are very supportive of each other and they are really dedicated to serving crime victims."

Team One's members include: Linda Hanley, Virgie Roots, Chuy Ibarra, Sandra Martinez, Surosh Seifkar, Irene Melendez, and Annette Frasinetti. Mary Herald is the manager of the northern region.

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## Staff Changes at the Board

A few changes have taken place at the Board, with new staff being hired or accepting new positions and new management assignments being made. Join us in welcoming the following new staff and new assignments:

**Tracy Southerland**, Staff Services Analyst, Revenue Recovery and Accounting

**Terri Hamilton**, Staff Services Manager I, Human Resources

**Neil Ennes**, Associate Government Program Analyst, Legislation

**Iris Wang**, Associate Programmer Analyst, Information Systems Section

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## Staff Changes at the Board, (continued from page 3)

**Chara Frank-Smith**, Program Technician II, Customer Service Unit

**Jerry Sanford**, Staff Services Analyst, Policy and Training

**Yolanda Lemence-Latin**, Accounting Technician, Revenue Recovery and Accounting

Board sections with new managers and their phone numbers are:

**Audits and Investigations Branch** – Chip Skinner, 916-324-8313

**Financial and Business Operation Section** – Peggy Adams, 916-324-6628

**Government Claims Section** – Chris Aceituno, 916-323-8857

**Hearing and Appeals Unit** – Shirley Ramudo, 916-445-6194

**Human Resources Section** – Terri Hamilton, 916-327-0406

**Policy and Training Unit** – Anita Ahuja, 916-445-8452

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## New Claims Management System Leads to Centralized Data Entry Unit

The new Claims Management and Information System (CMiS) project continues to move quickly ahead. The Board's Chief Information Officer (CIO) Adelina Zendejas accepted a new job, and Mark Lamb, formerly a manager of the Victim Compensation Program, has been assigned as the Interim CIO. Board staff has been assigned to teams working on various parts of the project.

While the CMiS Project Team was reviewing the business rules and processes, the concept of a central clearinghouse for applications was raised. By reviewing all new applications and ensuring they are complete, this new team would provide better customer service, improved processing time, and greater efficiency in claim processing. The Board began piloting the centralized data entry unit, known as the Application Review Team (ART), on November 22 to determine how well this process works. The ART uses data entry screens simulating the look and feel of the new claims processing system, with buttons and drop-down menus. Once the new claims processing system is fully implemented, it is anticipated that the ART will handle all data entry activities at the Board office in Sacramento.

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## Study Findings Support Efforts of Criminal Restitution Compacts in Counties

The Board recently completed a pilot study to analyze the cost effectiveness of its county Criminal Restitution Compacts (CRCs) program. The Board contracts with 21 counties to employ restitution specialists who ensure that the courts have the information needed to impose appropriate restitution fines and orders when sentencing offenders.

- In October 2004, Board staff surveyed criminal disposition data in five CRC counties and five non-CRC counties to obtain restitution imposition statistics. The data obtained through the on-site surveys showed that:
- In the CRC counties, the courts imposed restitution orders in 77 percent of the cases versus 8 percent of the cases in non-CRC counties.
- The courts imposed restitution fines in 90 percent of the cases in CRC counties versus 74 percent of the cases in non-CRC counties.
- The average fine amount in the CRC counties was \$3,312 versus \$1,866 in non-CRC counties.
- In the CRC counties, the courts imposed the parole revocation fine in every case where an offender was sentenced to state prison versus 17 percent of the cases in non-CRC counties.
- Of the total restitution orders collected by the 10 counties over a four-year period, the CRC counties collected 88 percent.

This data supports the Board's argument that the CRC specialists' role in obtaining restitution orders is an essential first step toward the counties' collection activities. If the courts do not impose the restitution, the counties cannot collect it.